

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 1845 - SB 1765

March 3, 2011

SUMMARY OF BILL: Requires any investigation of an insurance producer by the Department of Commerce and Insurance (TDCI) to be reasonable in scope. Requires that TDCI conduct the investigation in the least obtrusive manner possible. Requires TDCI to provide notice of an inquisitorial order or complaint within 30 days of issuance of the order or receipt of the complaint. Requires TDCI to provide notice that any statement obtained from the person being investigated may be used in the investigation or as evidence in a hearing. Directs that failure to provide the 30-day notice will render inadmissible any statement made prior to that notice. Authorizes a person receiving the 30-day notice to obtain a copy of any written, formal, or recorded statements made by such person, and requires TDCI to fulfill the request within 30 days. Requires TDCI to give 14 days notice of the Commissioner's intent to take the person's testimony under oath. Permits a person who considers TDCI's request for records to be overbroad to seek review from an administrative judge, and entry of a protective order. Requires the Commissioner to provide notice of completion of an investigation within 30 days. Requires TDCI to disclose investigation statistics in the Commissioner's annual report. Requires completion of investigations within two years.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumption:

- According to the Department, implementation of this bill will not change the current regulatory, administrative, or enforcement activities of the Department. The impact to state government is not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/sbh